

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASPEN AMERICAN INSURANCE
COMPANY, as subrogee of Martin
J. Ain, Ingrid Ain and 287
Main Street Group, LLC, MARTIN
J. AIN, INGRID AIN, 287 MAIN
STREET GROUP, LLC,

Plaintiffs,

-v-

HARBOR FREIGHT TOOLS USA,
INC.,

Defendant.

23-cv-11298 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On December 29, 2023, defendant Harbor Freight Tools USA, Inc. removed this action from the Supreme Court of the State of New York, County of New York. See 28 U.S.C. § 1446(a). On January 30, 2024, however, the parties informed the Court that they have consented to a remand to state court because the case does not involve a federal question and they cannot establish that this Court has subject matter jurisdiction under 28 U.S.C. § 1332(a). Accordingly, the Court hereby remands this case to the New York County Supreme Court, where it was originally filed. The telephone conference scheduled for January 31, 2024, ECF No. 3, will not take place. The Clerk is respectfully directed to close this case.

SO ORDERED.

Dated: New York, NY
January 30, 2024


JED S. RAKOFF, U.S.D.J.